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This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

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OFFICE OF PERSONNEL MANAGEMENT

5 CFR Part 532

RIN 3206-AH30

Prevailing Rate Systems; Abolishment of Merced, CA, Nonappropriated Fund Wage Area

AGENCY: Office of Personnel Management.

ACTION: Final rule.

SUMMARY: The Office of Personnel Management is issuing a final rule to abolish the Merced, CA, nonappropriated fund (NAF) Federal Wage System (FWS) wage area and redefine the county having continuing FWS employment (Fresno) as an area of application to the Kern, CA, NAF wage area for pay-setting purposes. The remaining Merced wage area county (Merced) has no FWS employment and is being deleted.

EFFECTIVE DATE: July 1, 1996.

FOR FURTHER INFORMATION CONTACT: Paul Shields, (202) 606-2848.

SUPPLEMENTARY INFORMATION: On February 15, 1996, the Office of Personnel Management (OPM) published an interim rule to abolish the Merced, CA, nonappropriated fund (NAF) Federal Wage System (FWS) wage area and redefine the county having continuing FWS employment (Fresno County) as an area of application to the Kern, CA, NAF wage area for pay-setting purposes. The remaining Merced wage area county (Merced) is being deleted because it has no FWS employment. The interim rule provided a 30-day period for public comment. OPM received no comments during the comment period. Therefore, the interim rule is being adopted as a final rule.

Regulatory Flexibility Act

I certify that these regulations will not have a significant economic impact on a substantial number of small entities because they will affect only Federal agencies and employees.

List of Subjects in 5 CFR Part 532

Administrative practice and procedure, Freedom of information, Government employees, Reporting and recordkeeping requirements, Wages.

Accordingly, under the authority of 5 U.S.C. 5343, the interim rule amending 5 CFR part 532 published on February 15, 1996 (61 FR 5921), is adopted as final without any changes.

Office of Personnel Management.

Lorraine A. Green,
Deputy Director,
[FR Doc. 96-13683 Filed 5-30-96; 8:45 am]
BILLING CODE 6325-01-M

5 CFR Part 591

RIN 3206-AH17

Allowances and Differentials; Separate Maintenance Allowance for Duty at Johnston Island

AGENCY: Office of Personnel Management.

ACTION: Final rule.

SUMMARY: The Office of Personnel Management (OPM) is issuing final regulations to change the method for setting separate maintenance allowance (SMA) rates for duty at Johnston Island. Under this method, SMA rates for Johnston Island are set at the same amount and adjusted at the same time as SMA rates established by the Department of State for employees who receive SMA's in foreign areas.

EFFECTIVE DATE: July 1, 1996.

FOR FURTHER INFORMATION CONTACT: Roger M. Knadle, (202) 606-2858, or FAX: (202) 606-0824.

SUPPLEMENTARY INFORMATION: On October 17, 1995, the Office of Personnel Management published proposed regulations (60 FR 53716) to set and adjust the SMA rates for Johnston Island (a non-foreign area) at the same time and in the same manner as SMA rates for employees in foreign areas. The 60-day public comment period ended on December 18, 1995. We received one comment from one agency

supporting the regulations as proposed. Therefore, OPM is issuing final regulations that are the same as the proposed regulations.

An SMA is paid to employees assigned to Johnston Island to help meet the additional expense of maintaining family members elsewhere who would normally reside with the employee. Johnston Island is a possession of the United States in the Pacific Ocean and is a non-foreign post of duty. Much of the island is devoted to chemical weapon storage and disposal facilities. Because of hazardous conditions (toxic waste) and the lack of facilities, family members are not allowed on the island.

Civilian employees assigned to foreign areas who are precluded from establishing a residence because of local living conditions or Federal policy are authorized an SMA established by the Department of State that is periodically updated based on the Consumer Price Index (CPI) and budgetary considerations. The final regulations abolish the current SMA rates established by OPM regulations and provide that SMA rates for Johnston Island will be set and adjusted at the same time and in the same amount as SMA rates established by the *Standardized Regulations (Government Civilians, Foreign Areas)* of the Department of State for employees in foreign areas. This maintains equity between civilian employees assigned to foreign and non-foreign areas. The final regulations apply only to Federal civilian employees assigned to Johnston Island.

The SMA rates will be adjusted on the first day of the first pay period beginning on or after the effective date of these regulations. Subsequently, the SMA rates will be adjusted on the first day of the first pay period beginning on or after the effective date of SMA rate adjustments under the Department of State's *Standardized Regulations (Government Civilians, Foreign Areas)*. This change in methodology for setting SMA rates is not retroactive.

Regulatory Flexibility Act

I certify that these regulations will not have a significant economic impact on a substantial number of small entities because they will affect only Federal agencies and employees.

List of Subjects in 5 CFR Part 591

Government employees, Travel and transportation expenses, Wages.

Office of Personnel Management.

James B. King,

Director.

Accordingly, OPM is amending part 591 of title 5, Code of Federal Regulations, as follows:

PART 591—ALLOWANCES AND DIFFERENTIALS

Subpart D—Separate Maintenance Allowance for Duty at Johnston Island

1. The authority citation for subpart D of part 591 is revised to read as follows:

Authority: 5 U.S.C. 5942a(b); E.O. 12822, 3 CFR, 1992 Comp., p. 325

2. In § 591.401, paragraph (a) is revised to read as follows:

§ 591.401 Purpose and applicability.

(a) *Purpose.* This subpart prescribes the regulations required by section 5942a of title 5, United States Code, to authorize payment of a separate maintenance allowance to assist an employee assigned to Johnston Island to meet the additional expenses of maintaining family members elsewhere who would normally reside with him or her because they cannot accompany the employee to Johnston Island. This subpart provides rules for determining which employees are eligible to receive the separate maintenance allowance, who qualifies as family members under the program, the method of payment, and payment amounts.

* * * * *

3. Section 591.402 is revised to read as follows:

§ 591.402 Definitions.

Adult, a term used in the Department of State *Standardized Regulations (Government Civilians, Foreign Areas)*, means a family member who is 21 years of age or older.

Family member means one or more of the following relatives of an employee who would normally reside with the employee except for circumstances warranting the granting of a separate maintenance allowance, but who does not receive from the Government an allowance similar to that granted to the employee and who is not deemed to be a family member of another employee for the purpose of determining the amount of a separate maintenance allowance or similar allowance:

(1) Children who are unmarried and under 21 years of age or, regardless of age, are incapable of self-support, including natural children, step and

adopted children, and those under legal guardianship or custody of the employee or the spouse when they are expected to be under such legal guardianship or custody at least until they reach 21 years of age and when dependent upon and normally residing with the guardian;

(2) Parents (including step and legally adoptive parents) of the employee or of the spouse when such parents are at least 51 percent dependent on the employee for support;

(3) Sisters and brothers (including step or adoptive sisters and brothers) of the employee or of the spouse, when such sisters and brothers are at least 51 percent dependent on the employee for support, unmarried and under 21 years of age, or regardless of age, are incapable of self-support; or

(4) Spouse, excluding a spouse independently entitled to and receiving a similar allowance.

Johnston Island, also called Johnston Atoll, is a possession of the United States located 717 nautical miles southwest of Honolulu, Hawaii.

Separate maintenance allowance means an allowance to assist an employee assigned to Johnston Island who is compelled by reason of dangerous, notably unhealthful, or excessively adverse living conditions at Johnston Island, or for the convenience of the Government, to meet the additional expense of maintaining family members at a location other than Johnston Island.

4. Section 591.403 is revised to read as follows:

§ 591.403 Amount of payment.

(a) The annual rate of the separate maintenance allowance paid to an employee shall be determined by the number of individuals, including a spouse and/or one or more other family members, that are maintained at a location other than Johnston Island.

(b) The annual rates for the separate maintenance allowance paid to employees assigned to Johnston Island shall be the same as the annual rates for the separate maintenance allowance established by the Department of State in its *Standardized Regulations (Government Civilians, Foreign Areas)*. The annual rates shall not vary by location of the separate household.

(c) The annual rates of the separate maintenance allowance shall be adjusted on the first day of the first pay period beginning on or after July 1, 1996 and, subsequently, on the first day of the first pay period beginning on or after the effective date established for adjustment of annual rates for the separate maintenance allowance in the

Standardized Regulations (Government Civilians, Foreign Areas).

5. Section 591.405 is revised to read as follows:

§ 591.405 Responsibilities of agencies.

Agencies with employees stationed at Johnston Island may require reasonable verification of relationship and dependency.

[FR Doc. 96-13682 Filed 5-30-96; 8:45 am]

BILLING CODE 6325-01-M

DEPARTMENT OF AGRICULTURE

Federal Crop Insurance Corporation

7 CFR Part 457

RIN 0563-AB24

Common Crop Insurance Regulations; Malting Barley Price and Quality Endorsement Crop Insurance Provisions; Correction

AGENCY: Federal Crop Insurance Corporation, Department of Agriculture.

ACTION: Correcting amendments.

SUMMARY: This document contains technical corrections to the final regulations, published Wednesday, March 6, 1996 (61 FR 8851), concerning the insurance contract requirements under the Malting Barley Price and Quality Endorsement crop provisions of the Common Crop Insurance Policy.

EFFECTIVE DATE: May 30, 1996.

FOR FURTHER INFORMATION CONTACT: Rob Coultis, Program Analyst, Research and Development Division, Product Development Branch, FCIC, at 9435 Holmes Road, Kansas City, MO 64131, telephone (816) 926-7730 (not a toll-free call).

SUPPLEMENTARY INFORMATION:

Background

The final regulation that is the subject of these technical corrections was intended to make available a new insurance coverage for producers of malting barley. As published, the final regulations contained an error in the calculation used to reduce the amount of production to count when damaged production is accepted by a buyer for malting purposes. As published, the quality adjustment factor used to reduce the amount of damaged production is calculated by dividing an established value of undamaged production (the maximum additional value price election) by the price per bushel received for damaged production. The application of this calculation will increase the production to count, not